

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Status of Claims:

No claims are currently being cancelled.

Claims 5-12, 24 and 25 are currently being amended.

No claims are currently being added.

This amendment and reply amends claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claims remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1, 3, 5-12 and 17-25 are pending in this application.

Indication of Allowable Subject Matter:

Applicant appreciates the indication in the Office Action that claims 9, 10, 17, 19, 20, 22 and 24 contain allowable subject matter.

Claim Rejections – 35 U.S.C. § 101:

In the Office Action, claims 5-12 and 24-25 were rejected under 35 U.S.C. § 101, as being directed to non-statutory subject matter. By way of the amendments made to claims 5-12 and 24-25 such that those claims are now directed to a digital signal processor configured to execute a reception level display program stored in a memory for an adaptive array wireless terminal apparatus having a plurality of antennas, in accordance with the description on page 14, lines 24-28 and page 17, lines 8-12 of the specification, this rejection has been overcome.

Claim Rejections – Double Patenting:

In the Office Action, claims 1-7, 10-14, 17-19, 21-27 and 29-31 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1 of copending patent application 10/779,622. Due to the filing of a terminal disclaimer concurrently with this amendment and reply, this rejection has been overcome.

Claim Rejections – Prior Art:

In the Office Action, claims 1, 3 and 18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over JP 09-205390 to Ozaki et al.; and claims 5-8, 11, 12, 21, 23 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ozaki et al. in view of U.S. Patent Publication No. 2003/0060218 to Billerbeck. These rejections are traversed for at least the reasons given below.

Ozaki discloses calculating a correlation value of reception signals of two antennas 1 and 2 in a space diversity antenna. See, for example, paragraph 0007 of Ozaki. On the contrary, the present invention measures the actual reception signal levels received by a plurality of antennas (#1, #2) respectively, and uses the measured levels for display. More specifically, the present invention is provided to reduce a difference in a reception signal level between a plurality of antennas before adaptive array processing, for improving the reception characteristics of the adaptive array processing. For that purpose, the present invention measures (or “determines”, as recited in claim 1) the respective reception levels of a plurality of antennas.

As is clear from the above discussion, Ozaki is much different from the present invention as exemplified by the presently pending claims under rejection, whereby Billerbeck does not rectify these deficiencies of Ozaki.

Accordingly, claims 1, 3, 5-8, 11, 12, 18, 21, 23 and 25 are patentable over the cited art of record.

Conclusion:

Since all of the issues raised in the Office Action have been addressed in this Amendment and Reply, Applicant believes that the present application is now in condition for allowance, and an early indication of allowance is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated,

otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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